IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 4777 of 2005

Between:

1.M/s.Srinivasa Mahal, Partnership firm

rep. by its Managing Partner

Sri Penubaka bhakthavathsala Reddy,

and 6 others.

.....APPELLANT

AND

1.The Recovery Officer,

Debt Recovery Tribunal,

Visakhapatnam, and another.

.....RESPONDENTS

ORDER: **(Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)**

This writ petition was filed seeking a direction that respondents should not take coercive steps to sell the property pursuant to Form Nos.16 and 17 notices issued by the Recovery Officer in R.P.No.74 of 2004 in OA.No.205 of 2003.

The only ground for filing this Writ Petition was that there were discrepancies and mistakes in calculating the amount due from the writ petitioners.

When the matter came up before us on 29-06-2005, it was stated that about an amount of Rs.10 lakhs was due from the petitioners and not Rs.16 lakhs and above, for which a notice has been given. Therefore, we passed an order on 29-06-2005, giving time to the petitioners to deposit Rs.10 lakhs. We had also made it clear that if the amount is not deposited within the stipulated period of time, the stay would stand vacated. The amount was not deposited.

Today, we are told that the respondents are already proceeding with the sale of the property. Therefore, we do not think there is any necessity for keeping this Writ Petition alive.

Writ Petition is, accordingly, dismissed. No costs.

(Bilal Nazki, A.C.J)

21st November, 2005

(R.Subhash Reddy, J)

LUR